

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD HEYER

No. C 10-4525 MMC

Plaintiff,

**ORDER VACATING JULY 1, 2011
HEARING ON DEFENDANT'S MOTION
TO DISMISS**

v.

GOVERNING BOARD OF THE MOUNT
DIABLO UNIFIED SCHOOL DISTRICT; et
al.,

Defendants.

Before the Court is defendant Governing Board of the Mount Diablo School District's ("the Board") motion, filed May 27, 2011, to dismiss plaintiff Richard Heyer's ("Heyer") Third Amended Complaint. Heyer has filed opposition, to which the Board has replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter suitable for decision thereon, and hereby VACATES the hearing scheduled for July 1, 2011.

IT IS SO ORDERED.

Dated: June 29, 2011


MAXINE M. CHESNEY
United States District Judge